

REMARKS

The Office Action rejected original claims 1-15 under 35 U.S.C. § 102(b) as being anticipated by GB 2372433 (Howes).

By the present Amendment, independent Claims 1 and 14 have been amended to specify that the position of the closure can be controlled between the open and closed positions “such that the actuator means can be operated to provide staged dirt discharge by partially opening the closure, to provide a restricted outlet for fine dirt, before fully opening the closure”. Support for this amendment is found, for example, in page 3, lines 26 to 33 and page 11, lines 24 to 27.

Applicant acknowledges the Office’s earlier rejection that the pending claims are anticipated by GB2372433 (Howes). However, applicant respectfully disagrees with the Office’s application of Howes to the present claims.

The Office asserts that the actuator means of claim 1 are anticipated by the seal 212 and hinge 214 of Howes. As is clear from the description of Howes regarding catch 260, a user *cannot* manually open the closure 210 by attempting to pry open closure 210 from the air and dust tight seal 212 as seems to be suggested in the Office Action. Rather, catch 260 co-operates with the base 210 to hold the base in the closed position (see e.g. page 8 lines 2- 26 of Howes). It is only on actuation of the trigger 220 resulting in downward movement of pushrod 230 to pivot catch 260 that the base 210 is released from its closed position (see e.g. page 9 lines 15-27 of Howes). Elements 212 and 214 of Howes therefore do not comprise actuator means as they are not suitable for moving the closure between a closed and open position. They are also not operable to provide staged dirt discharge by partially opening the closure before fully opening the closure.

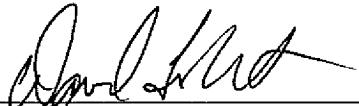
Even if one were to consider the trigger 220 and linking mechanism, including pushrod 230, of Howes as actuator means, the trigger and pushrod are not operable to control the position

of the closure 210 once catch 260 has been opened. Rather, the closure 210 swings open under gravity in an uncontrolled manner (see e.g. page 9 lines 25-27 of Howes). By contrast the claimed invention allows the user to operate the actuator means to provide a staged dirt discharge with the closure initially partially opened to provide a restricted outlet for fine dirt before the closure is fully opened.

For the above reasons, applicant respectfully submits the claimed invention is novel and inventive over the prior art cited and accordingly, the application is in condition for allowance.

Respectfully submitted,

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